<u>REMARKS</u>

This application has again been reviewed, in light of the Office Action dated October 31, 2008. Claims 1 and 11-13 are presented for examination, of which Claims 1 and 11 are in independent form. Claims 1 and 11 have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

Claims 1 and 11-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 7,062,532 (*Sweat*) in view of U.S. Patent 5,933,825 (McClaughry) in view of U.S. Patent 7,249,314 (*Walker*), in view of U.S. Patent 6,215,495 (*Grantham*). Applicants submit that independent Claims 1 and 11, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Claim 1 is directed to an information processing method for setting an exclusive control right of a data item by a specific process in a system in which a plurality of processes that can communicate with each other via an information transmission medium share data including a plurality of data items by use of a data structure which has a hierarchy structure having a data item corresponding to an operational object as a root and describes a structural dependence of the virtual space.

Each of the plurality of data items has type information indicating that the respective data item belongs to a first type or a second type. When the first type is indicated by the type information, an exclusive control right is set to the specific process for the data item and all data items belonging to a lower layer of the data item when no exclusive control right is set for the data item and all data items. When the second type is indicated by the type information, the exclusive control right is set to the specific process for data items for which no exclusive

control right is set, of the designated data item and all data items belonging to a lower layer of the data item. The method includes a first designation step of designating a data item for which the exclusive control right is to be set. The method also includes a retrieval step of retrieving a data item which belongs to a lower layer of the data item designated in the first designation step on the basis of hierarchical structure information of the plurality of data items. The method further includes a determination step of determining whether or not an exclusive control right by another process is set, for each data item retrieved in the retrieval step. The method also includes a setting step. In the setting step when the designated data item is indicated as the first type by the type information, the exclusive control right for the specific process is set as to the designated data item and as to a retrieved data item retrieved in the retrieval step only if no exclusive control right is set by other process for the designated data item and all of the retrieved data items, and the exclusive control right for the specific process is not set as to all of the designated data items and a retrieved data item in the retrieval step if the exclusive control right is set by another process for at least one of the designated data items and all of the retrieved data items. Also, in the setting step, when the designated data item is indicated as the second type by the type information, the exclusive control right for the specific process is set as to the designated data item and as to the data items for which it is determined in the determination step that an exclusive control right by another process is not set.

The method includes a second designation step of designating a data item for which the exclusive control right is to be released. The method also includes a first release step of releasing the exclusive control right of the specific process as to the data item designated in the second designation step and a data item which belongs to a lower layer of the data item

designated in the second designation step, while maintaining the exclusive control right of the specific process as to a data item which belongs to an upper layer of the data item designated in the second designation step.

Among other notable features of Claim 1 is the setting step. The setting step includes "... not setting the exclusive control right for the specific process as to all of the designated data items and a retrieved data item in said retrieval step if the exclusive control right is set by another process for at least one of the designated data items and all of the retrieved data items". By virtue of this step, exclusive control rights of a plurality of users are prevented from existing together in a group of objects, enhancing user operability.

Applicants submit that none of the cited references, even if taken in combination, would teach or suggest the setting step of Claim 1, because all of the cited references fail to teach or suggest "not setting the exclusive control right for the specific process as to all of the designated data items and a retrieved data item in said retrieval step if the exclusive control right is set by another process for at least one of the designated data items and all of the retrieved data items", as recited in Claim 1.

Moreover, it is submitted that in *McClaughry*, if no lock record exists at all for a particular object, an application will create a lock record for that object (*McClaughry*, column 5, lines 40-44). However, in *McClaughry,* the existence of the lock record is merely checked with regard to a particular object to be used, and does not check whether or not a lock record exists for objects belonging to a lower layer of the particular object. That is, *McClaughry* fails to teach or suggest exclusive control right setting process for the first type of data items of the present invention.

Accordingly, Claim 1 is believed to be clearly allowable over the art of record.

Claim 11 also recites these features, and therefore is believed to be allowable over the art of record.

The other claims in this application are each dependent from Claim 1, and are therefore believed patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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